

NRSM 370S Wildland Conservation Policy and Governance

Instructor Information

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Course Description

This course examines how policies related to public lands and protected areas, and environmental conservation more broadly are debated, decided, implemented, and challenged. During the course of the semester we will explore a number of policy processes, including development of statutes, case law, legislative history, voter initiatives, and administrative rulemaking. We will examine these policy processes through a series of case studies. Each case study will provide a window into political debate and policy processes, as well as substantive issues involved in public lands management and environmental conservation. Throughout the course, we will examine the relationship between various social, cultural, political, and economic forces and policy-making. This course is not comprehensive; we will not study every policy related to conservation and the environment, nor will we examine every type of policy process. Classroom time will consist of lecture, discussion, and activities. Every student is required to think critically and constructively, and to contribute significantly to the quality of the discussions.

Learning Outcomes

Students in this course will:

1. Understand many of the policy processes related to wildlands conservation and environment
2. Understand how to locate, understand, and analyze policy
3. Understand how policy provides a window into political and social debate, and conflict
4. Understand some of the major policy debates related to public lands, private lands, and other environmental issues
5. Understand how policy evolves over time
6. Improve writing, speaking, and analytical skills
7. Gain knowledge of multiple avenues for making change and how they work

Required Textbooks

Course readings are available on moodle. Readings will be available at least one week before students are required to read them. Readings must be completed prior to class. To adequately prepare for class, students should be familiar with the “facts” outlined in the reading (who, what, when, where, how, etc.) and carefully analyze and critique the material presented (making connections to other readings, class discussions, and the policy process as a whole). As

you are reading, make notes about key points, questions you have, interesting issues raised, and connections to other topics being covered in the course.

Course Calendar

Policy and Politics

8/30 Politics, Policy, Government, Democracy

9/13 Democracy and the Emergence of Federal Lands

No reading

9/15 Agency Culture and Federal Land Management

Rothman, H.K. 1989. A Regular Ding-Dong Fight. Agency Culture and Evolution in the NPS-USFS Dispute, 1916-1937. Western Historical Quarterly 20: 141-161.

9/20 Political Ideology, Polarization, and Identity

Pew Research Center for the People and the Press. 2014. Political Polarization in the American Public: How Increasing Ideological Uniformity and Partisan Antipathy Affect Politics, Compromise and Everyday Life.

Dunlap, R.E., McCright, A.M., and J. H. Yarosh. 2016. The Political Divide on Climate Change: Partisan Polarization Widens in the U.S. Environment: Science and Policy for Sustainable Development 58(5):4-23.

9/22 Policy Narratives and Political Discourse

Stone, D. 1997. Symbols. In Policy Paradox: The Art of Political Decision Making. New York: W.W. Norton and Company. (pp. 157-182)

Lange, J. 1993. The Logic of Competing Information Campaigns: Conflict Over Old Growth and the Spotted Owl. Communication Monographs 60(3):239-257.

9/27 Presidential Elections and the U.S. Electorate

No reading

Public Land Policy

9/29 The Political System and Wilderness Decision-Making

Primers on U.S. Government

Woody, C.A., Hughes, R.M., Wagner, E.J., Quinn, T.P., Roulson, L.H., Martin, L.M., and K. Griswold. 2010. *The Mining Law of 1872: Change is Overdue*. *Fisheries* 35(7):321-331.

10/4 No class

10/6 From Bill to Law: The Wilderness Act

Scott, D. 2004. *The Beginnings of a Wilderness Preservation Policy and Wilderness: "There Ought to be a Law" from The Enduring Wilderness: Protecting our Natural Heritage through the Wilderness Act*. Golden, CO: Fulcrum. (pp. 27-56)

Select 113th Congress Wilderness Bills

The 1964 Wilderness Act

10/11 Interpreting the Law: The National Park Service and the Challenge of Naturalness

National Park Service Organic Act (1916)

Yung, L., Graber, D.M., Parsons, D.J., Cole, D.N., and K.A. Tonnessen. 2010. *Changing Policies and Practices: The Challenge of Managing for Naturalness*. In Cole, D.N. and L. Yung (Eds) *Beyond Naturalness: Rethinking Park and Wilderness Stewardship in an Era of Rapid Change*. Washington D.C.: Island Press.

10/13 Involving the Public: NEPA

The National Environmental Policy Act of 1969

Council on Environmental Quality. 2007. A Citizen's Guide to the NEPA: Having Your Voice Heard. Washington, D.C.

10/18 Judicial Review: The Role of Lawsuits and the Nature of Judges

No Reading

10/20 When Agencies and Citizens Collide in Court: RARE I and II

Roth, D. 1984. *The Lincoln-Scapegoat*. In *The Wilderness Movement and the National Forests: 1964-1980*. Washington, D.C.: U.S.D.A. Forest Service. (pp. 24-34)

Background Information on Wilderness and Roadless Area Evaluation. Western Forestry Leadership Coalition.

10/25 Agency Rulemaking: The Roadless Area Conservation Rule

Nie, M. 2004. Administrative Rule-making and Public Lands Conflict: The Forest Service's Roadless Rule. Natural Resources Journal 44:687-742.

2001-2008 Roadless Area Conservation Policy Chronology

11/1 Tribal Rights and National Parks

Craig, D.R., Yung, L. and W.T. Borrie. (2012) "Blackfeet Belong to the Mountains:" Hope, Loss, and Blackfeet Claims to Glacier National Park. Conservation and Society 10(3): 232-42

Private Land Policy

11/3 Private Rights and Public Goods

Chandler, B. 2012. Does Missoula County Land Ownership Expose a Conspiracy? Missoulian. Guest Column. August 7.

Bushnell, B. 2012. Government: Who is Behind This Conspiracy? Missoulian. Guest Column. August 13.

Stream Access in Montana: Rights and Responsibilities of Landowners and Recreationists. Montana Fish Wildlife and Parks.

Headwaters Economics. 2014. Reducing Wildfire Risks to Communities: Solutions for Controlling the Pace, Scale, and Pattern of Future Development in the Wildland-Urban Interface.

11/8 No class - Elections Day

11/10 The Oregon Takings Initiative

Walker, P.A. and P.T. Hurley. 2011. Planning Paradise. Politics and Visioning of Land Use in Oregon. Tucson: University of Arizona Press. Chapter 4.

Regulatory Takings. Georgetown Law.

Dalmia, S. and L. Gilroy. Taking 'Takings' to the Voters - The California, Idaho, Arizona, and Washington initiatives. The Weekly Standard - October 30, 2006

Summary of Measure 37. Compiled by Meg Moore, Research Assistant for the Georgetown Environmental Law & Policy Institute, Spring 2006.

11/15 Conservation Easements

Conservation Easements: Conserving Land, Water, and a Way of Life. 2003. The Nature Conservancy

Byers, E. and K.M. Ponte. 2005. Introduction. The Conservation Easement Handbook. The Land Trust Alliance.

Climate, Energy, and Immigration Policy

11/17 Immigration and the Environment

Kallio, N. 2016. Human Migration: Implications and Opportunities for Conservation. International Union for the Conservation of Nature. SSCFP Working Paper Series.

11/22 No class

11/24 No class - Thanksgiving

11/29 Tribes, Indigenous Groups, and Energy Policy

No reading

12/1 Executive Branch Actions to Address Climate Change

The President's Climate Action Plan. 2013.

12/6 The Climate Change Treaty: UNFCCC

Taraska, G. 2015. A Primer on the Paris Climate Summit. Center for American Progress.

Full Text of the Paris Agreement.

12/8 New Visions for Resilience and Transformation

O'Brien, K. 2012. From Adaptation to Deliberate Transformation. Progress in Human Geography 36(5):667-676.

Required Assignments and Tests

Assignment	Percentage of Final Grade	Due Date
Participation in class activities	10%	
Civics response	10%	12/1
In-class writing assignments	20%	
Op/ed or Montana Public Radio Commentary	25%	10/6, 10/25
Policy analysis paper	35%	11/29, 12/16

Class Participation

Students are expected to take an active role in their education in this course, and course grades will be based, in part, on student participation. Participation includes attendance, punctuality, attentiveness, effort, and being prepared for class (having completed any assignments, including the reading for that day). Participation also means offering one's thoughts, ideas, opinions, and questions during class. There will be frequent opportunities for discussion during class, providing time for you to explore the complexity of the policy process and, in particular, work on issues you find confusing. Your participation grade is not based on knowing the "right" answers or the quantity or length of your comments (in fact, concise and succinct comments, where appropriate, are favorable), but rather on your willingness to contribute, evidence that you have completed and thought through material presented in the reading, and the quality of your contributions. In addition to talking in class, participation includes respect for differing opinions. Participation grades will also be based on the quality of student's contributions to class activities. Students who arrive late, miss class, fail to do readings on time, and/or do not engage in class discussions will be penalized.

In-class Writing Assignments

You will have four in-class essays between now and the end of the semester. Each essay will count for 5% of your grade. The essays will require that you respond to the readings for that day or to a short film that we will watch in class.

Civics Response

For your civics response you will need to attend one meeting of a government policy-making or advisory body here in Missoula (excluding the University), and provide a 1-2 page written response. Your response should state the date, time, and location of the meeting you attended, and the entity that met. Please identify major items on the agenda, and major decisions taken or deferred. Please provide some general reflections on the decision-making process. This does not need to be a researched opinion about the issues addressed, but rather your reflections on the process of policy-making. You could consider questions like: Is it transparent? Is it accessible? Is it rational? Is it fair? Will it produce good policy? Who is participating? How could this process be improved?

Entities whose meetings you could potentially attend include:

- Missoula City Council (first four Monday's of the month (excluding Columbus Day), 7 pm. [Missoula Council Meeting Schedule](#))

- Missoula City Council committee meetings. See Schedule of Committee Meetings on the Missoula Council Meeting Schedule page above.
- City of Missoula Boards and Commissions. [Boards and Commissions Meeting Schedule](#)
- Missoula Board of County Commissioners. [Missoula County Commissioners Meeting Schedule](#)
- Missoula County Boards and Commissions. [Missoula County Boards and Commissions Meeting Schedule](#)
- Missoula County Public Schools Board of Trustees. [Board of Trustees Meeting Schedule](#)

If you identify a different policy-making body whose meeting you would like to attend here or elsewhere, please meet with me to discuss. Your civics response is due by 12/1.

Op/ed or Montana Public Radio commentary

Your op/ed should focus on a very specific policy issue or problem in a particular place (e.g. coal exports or wolf trapping in Montana). For this assignment you will be required to develop a concise, persuasive argument in just 500 words (this is a strict word limit). You will need to outline the issue and explain its importance, take a position on the issue, provide support or evidence for your position, and make a specific policy recommendation regarding how to resolve the issue. Be specific about who would make the policy decision (e.g. a city council, a federal agency, Congress, etc.). You are welcome to turn in a draft op/ed for feedback (Drafts will not be graded. Drafts must be turned in by 10/6.). Final op/eds are due by 10/25. Please review the following resources on writing op/eds:

[How to Write an Op/Ed](#)

[How to Write an Op-Ed Article](#)

[Writing Successful Op-Eds](#)

[How to Write a Killer Op-Ed Piece](#)

Policy Analysis Paper

The policy analysis paper requires an in-depth analysis of an existing or proposed policy related to the environment or public lands. The specific policy you select must be different from the topic you chose for your op/ed. Unlike the op/ed, this is not a persuasive piece where you argue for a specific action/proposal (although you are encouraged to conclude with some specific recommendations regarding how to move forward/what could be improved). In your paper, please discuss the policy process (e.g. Is this a bill before Congress and if so, is it out of committee? Is this a voter initiative that's been enacted in a specific state? Is it a regulation and if so, written by what agency based on what law?) and the specific policy (e.g. what is the policy called and what, exactly does it require?). Spend the bulk of your paper on your analysis (e.g. why was this policy proposed, what problem was it trying to solve, who supported and opposed it and why, what are some of the counterproposals, if it's already enacted has it been effective, what evidence has been presented to support different views on the policy?).

Conclude with some recommendations. Your paper should be doubled-spaced 6-7 pages with citations in the text (author last name and year in parentheses is fine) and a bibliography (any

format is fine, just be consistent). Your paper will be graded based on the quality of your writing, the depth of your analysis/understanding, and the insightfulness of your conclusions. You are welcome to turn in a draft paper for feedback (Drafts will not be graded. Drafts must be turned in by 11/29.). Final policy analysis papers are due by 12/16.

Course Guidelines and Policies

Student Conduct Code

All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. All students need to be familiar with the [Student Conduct Code](#).

Attendance

Because your presence in class has an important effect on your learning, attendance will be recorded and counted toward your participation grade. If you have an emergency that interferes with attendance, please let me know and I will take the circumstances into account (but please know that I will ask for documentation).

Course Withdrawal

Important Dates Restricting Opportunities to Drop a Course Autumn 2016:

Deadline	Description	Date
To 15 th instructional day	Students can drop classes on CyberBear with refund	September 19 = last day
16 th to 45 th instructional day	A class drop requires a form with instructor and advisor signature, a \$10 fee from registrar's office, student will receive a 'W' on transcript, no refund.	September 20 through October 31
Beginning 46 th instructional day	Students are only allowed to drop a class under very limited and unusual circumstances. Not doing well in the class, deciding you are concerned about how the class grade might affect your GPA, deciding you did not want to take the class after all, and similar reasons are not among those limited and unusual circumstances. If you want to drop the class for these sorts of reasons, make sure you do so by the end of the 45 th instructional day of the semester. Requests to drop must be signed by the instructor, advisor, and Associate Dean and a \$10 fee applies.	November 1 – December 12

Disability Modifications

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Services for Students (DSS). If you think you may have a disability adversely affecting your academic performance, and you have not already registered with DSS, please contact DSS in Lommason 154 or 406.243.2243. I will work with you and DSS to provide an appropriate modification.

Grading Policy

Written assignments are due at the beginning of class on the specified due date. If you miss class at any time, you are responsible for inquiring about any new assignments or in-class writing assignments. Late papers will be accepted, but your grade will be lowered at least one letter grade (and potentially more depending on your circumstances and how late the paper is – *bottom line: if you are late with a paper, you should still turn it in, but get it to me as soon as possible*). This does not apply to drafts, which must be turned in on time. Please note, this class is offered for traditional letter grade only, it is not offered under the credit/no credit option

Final course grades will be determined based on the following scale:

93-100 A
90-92 A-
88-89 B+
83-87 B
80-82 B-
78-79 C+
73-77 C
70-72 C-
68-69 D+
63-67 D
60-62 D-
59- F